

be covered in whole or in part by television, radio broadcast, or still photography. Photographers and reporters using mechanical recording, filming, or broadcasting devices shall position their equipment so as not to interfere with the sight, vision, and hearing of Members and staff on the dais or with the orderly process of the meeting or hearing.

AUTHORIZING SUBPOENAS

Rule 12. The Chairman may, with the agreement of the Vice Chairman, or the Committee may, by majority vote, authorize the issuance of subpoenas.

AMENDING THE RULES

Rule 13. These rules may be amended only by a vote of a majority of all the Members of the Committee in a business meeting of the Committee: Provided, that no vote may be taken on any proposed amendment unless such amendment is reproduced in full in the Committee agenda for such meeting at least seven (7) days in advance of such meeting.

MEDICAL DEVICE SAFETY ACT

Mr. LEAHY. Mr. President, I am pleased to join Senator KENNEDY once again in the introduction of this important legislation. The bill that we introduce today will correct the Supreme Court's decision in *Riegel v. Medtronic*, which misconstrued the intent of Congress and cut off access to our Nation's courts for citizens injured or killed by defective medical devices.

Last year, the Senate Judiciary Committee held a series of hearings to examine the way in which the Supreme Court's decisions in the areas of retirement benefits, consumer product safety, workplace discrimination, and personal finance have consistently trended against the rights of consumers and in favor of big business. In many cases that have profound effects on the lives of ordinary Americans, the Court has either ignored the intent of Congress, deferred to corporate interests, or sided with a Federal agency's flawed interpretation of a congressional statute's preemptive force to disadvantage consumers. The impact of the decisions that were the focus of those hearings continue to be felt by Americans today, whether they are prohibited from seeking redress in the courts for an injury caused by a defective product, paying exorbitant credit card interest rates and fees with no relief from the laws of their own state, or subjected to the unscrupulous practices of some in the mortgage lending industry.

These hearings raised awareness in Congress, and among Americans, about the impact the Supreme Court has on our everyday lives. I am especially proud that following on these hearings, and through the efforts of a determined and principled congressional majority, we witnessed our constitutional democracy at work when President Obama signed the Lilly Ledbetter Fair Pay Act. And I am heartened that Congress reclaimed the intent of its original legislation and overrode the Supreme Court to restore the rights of Americans to be free from discrimination in the workplace.

The bill we introduce today is another important step to correct an erroneous reading by the Court of Congress' intent in enacting the medical device amendments of 1976. This legislation will make explicit that the preemption clause in the medical device amendments upon which the Court relied does not, and never was intended to, preempt the common law claims of consumers injured by a federally approved medical device.

The extraordinary power to preempt State law and regulation lies with Congress alone. Where the Court reaches to the extent it did in the *Riegel* decision to find Federal preemption contrary to what Congress intended, Congress is compelled to act, just as it was in the case of *Lilly Ledbetter*. I hope all Senators will join us in this effort.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

The bicycle is a very big part of the answer to high gas prices and so many more problems that Idahoans face. The use of bicycles reduces demand for fossil fuels. If demand goes down, prices will follow downward. Furthermore, increased use of bicycles puts no pollutants into the air that we and future generations breathe. Use of bicycles promotes better health by adding consistent daily exercise to our daily lives and will lead to a slimmer, healthier and better quality of life for all Americans. Better health leads to lower demand on our health care system also.

I urge you to please support increased bicycle friendly infrastructure in our transportation system for all the right reasons, only a few of which I have listed here today.

ANDREW, *Mountain Home.*

I am a pastor in Caldwell and have found that the elevating fuel costs have made it where I have to spend my day deciding whether or not I will visit people in my congregation. The sick, the hospitalized, the elderly, the families that are feeling the im-

pact of all this . . . it all rolls down to making a decision, "Can I afford to go and see them?" It is a sad thing. Because when I make the decision to go and see them, I impact my family as well. But they need to be visited. So I go. Please Senator, do what you can to help us Idahoans enjoy the quality of life without having to worry about the cost of life. God bless,

TROY, *Caldwell.*

You asked a good question. And I thank you for doing so.

How have high energy prices affected our lives?

We have been fortunate that the high price of fuel is merely an inconvenience and not a devastating disturbance in our lives. We have also planned wisely for this and are careful with our fuel consumption. We drive small commutes and patronize businesses in our immediate area. We have made good choices and take responsibility for our actions. We do not play victim to political arm-wrestling.

I agree with a previous response: "I think that the high prices for gas/diesel that we're experiencing are a necessary evil. It is time for this entire country, but our politicians in Washington . . . to wake up & realize that the amount of petroleum on this planet based is finite. The current problem with prices should not be dealt with by some . . . Band-Aid." In other words, Idahoans need to wake up and realize that high fuel prices are not a sign of the times—they are here to stay and it is time to start thinking like the rest of the world when it comes to fuel consumption. Americans (and Idahoans) need to scale down vehicles, increase mpg, turn necessary travel into opportunities to be active (walking, riding a bicycle, etc.) and look into mass transit. Duh. Why are we so slow to welcome these alternatives?

I think Idahoans should be given an annual tax credit for operating vehicles that get more than 20 mpg and/or for limiting miles traveled. It is time Idahoans start thinking globally and not just selfishly when it comes to transportation. Vehicles are for function only; they are not for status. I am shocked by how many Idahoans still think big trucks and big wheels are some kind of status symbol. To educated, environmentally conscious Idahoans it just spells ignorance. And in our beautiful valley, as the smog increases, these people are completely unaware or uncaring of what their egos are doing to our air quality. I have three small children, two with asthma. The depletion of our air quality often leaves us trapped indoors. As their mother this makes me sad and frustrated and as a life-long Boise citizen who never experienced these "red alerts" growing up, this makes me furious.

Please Senator Crapo, ask your fellow Idahoans to think globally, act locally and give them financial incentive to do so. Right now.

JACQUI, *Boise.*

I would like to share my story about the effects of gas prices on my life. I believe that prices are affecting businesses all around so that there is less employment available. I know they have an effect on the economy; so many people are cutting down on their expenses. I had one job where I was required to sell a product to customers. When I was talking to people who were already having financial difficulties I could not feel very good about adding another financial burden on them. Because of a scarcity in decent jobs around here, I have not been able to come up with a decent enough income to be able to buy a car. I have also felt persuaded away from wanting to buy a car because the gas prices are so high.

There are several solutions to the problems of the oil crisis and inflation in the economy.